

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

DONALD J. TRUMP,

*Plaintiff,*

v.

COMMITTEE ON WAYS AND MEANS,  
UNITED STATES HOUSE OF  
REPRESENTATIVES, *et al.*,

*Defendants.*

Case No. 1:19-cv-02173-CJN

**NEW YORK DEFENDANTS' MOTION TO DISMISS THE AMENDED  
COMPLAINT FOR LACK OF PERSONAL JURISDICTION AND  
IMPROPER VENUE**

Defendants Letitia James, sued in her official capacity as Attorney General of the State of New York, and Michael R. Schmidt, sued in his official capacity as Commissioner of the New York State Department of Taxation and Finance (collectively, the “New York Defendants”), through their undersigned counsel, move pursuant to Rules 12(b)(2) and 12(b)(3) of the Federal Rules of Civil Procedure to dismiss the Amended Complaint (ECF No. 30) against them because this Court lacks personal jurisdiction over the New York Defendants and this District is an improper venue, or in the alternative, to transfer venue to the Southern District of New York pursuant to 28 U.S.C. § 1406(a). The grounds supporting this motion are set forth in the accompanying memorandum of law.

Pursuant to the Court's order dated August 14, 2019 (ECF No. 29), Plaintiff's opposition to this motion is due on or before September 9, 2019. A proposed order is attached.

Dated: New York, New York  
August 29, 2019

LETITIA JAMES  
Attorney General of the State of New York

By:           /s/ Andrew Amer            
Andrew Amer  
Special Litigation Counsel  
28 Liberty Street, 17<sup>th</sup> Floor  
New York, New York 10005  
(212) 416-6127  
[Andrew.amer@ag.ny.gov](mailto:Andrew.amer@ag.ny.gov)

*Attorney for Defendants Letitia James, in her  
official capacity, and Michael R. Schmidt, in  
his official capacity*

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**[PROPOSED] ORDER GRANTING NEW YORK DEFENDANTS’  
MOTION TO DISMISS**

After considering the motion filed by Defendants Letitia James, sued in her official capacity as Attorney General of the State of New York, and Michael R. Schmidt, sued in his official capacity as Commissioner of the New York State Department of Taxation and Finance (collectively, the “New York Defendants”) to dismiss this action against them for lack of personal jurisdiction and improper venue pursuant to Rules 12(b)(2) and 12(b)(3) of the Federal Rules of Civil Procedure, the motion is **GRANTED**. Mr. Trump has failed to meet his burden of establishing the existence of personal jurisdiction over the New York Defendants. *Reuber v. United States*, 787 F.2d 599, 599 (D.C. Cir. 1986). He has neither alleged facts in the Amended Complaint nor pointed to any evidence in his opposition showing that the New York Defendants reside in this District for purposes of exercising general jurisdiction under D.C. Code § 13-422, or have sufficient “minimum contacts” with this District for purposes of exercising specific

jurisdiction under D.C.'s long-arm statute, D.C. Code § 12-423, or the Due Process Clause.

*Lemon v. Kramer*, 270 F. Supp. 3d 125, 135-36 (D.D.C. 2017) (citing *Goodyear Dunlop Tires Operations, S.A. v. Brown*, 564 U.S. 915, 919 (2011)).

It is hereby **ORDERED** that the Amended Complaint is dismissed against the New York Defendants for lack of personal jurisdiction.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Hon. Carl J. Nichols  
United States District Judge

**CERTIFICATE OF SERVICE**

I hereby certify that on August 29, 2019, I caused the foregoing document to be filed via this Court's CM/ECF system, which I understand caused service on all counsel of record.

/s/ Andrew Amer  
Andrew Amer